

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE ENROLLED ACT No. 459

AN ACT concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. [EFFECTIVE JULY 1, 2001] (a) **As used in this SECTION, "waiver" means a Section 1115 demonstration waiver under the federal Social Security Act (42 U.S.C. 1315).**

(b) **As used in this SECTION, "children's health insurance program" means the program established under IC 12-17.6.**

(c) **Before September 1, 2001, the office of Medicaid policy and planning shall apply to the United States Department of Health and Human Services for approval of a waiver to provide coverage for dental and vision services under the children's health insurance program to a child who:**

(1) **has health insurance coverage (as defined in 42 U.S.C. 300gg-91); or**

(2) **is covered under a group health plan (as defined in 42 U.S.C. 300gg-91);**

but does not have coverage for dental services or vision services and is otherwise eligible for coverage under the children's health insurance program.

(d) **If a provision of this SECTION differs from the requirements of a waiver, the office shall submit the waiver request in a manner that complies with the requirements of the waiver. However, after the waiver is approved, the office shall apply within one hundred twenty (120) days for an amendment to the approved**

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waiver that contains the provisions of this SECTION that were not included in the approved waiver.

(e) The office of Medicaid policy and planning may not implement the waiver until the office files an affidavit with the governor attesting that the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(f) If:

(1) the office of Medicaid policy and planning receives a waiver under this SECTION from the United States Department of Health and Human Services;

(2) the governor receives the affidavit filed under subsection (e); and

(3) the general assembly appropriates funds for implementing the waiver;

the office shall implement the waiver not more than sixty (60) days after the general assembly appropriates funds to implement the waiver.

(g) The office of Medicaid policy and planning may adopt rules under IC 4-22-2 that are necessary to implement this SECTION.

(h) This SECTION expires July 1, 2005.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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